

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff,

v.

RODRIGO KEDE DE FREITAS LIMA,

Defendant.

20 Civ. 4573(PMH)(PED)

**DECLARATION OF PIETRO J. SIGNORACCI IN SUPPORT OF
INTERNATIONAL BUSINESS MACHINES CORPORATION'S
MOTION FOR A PRELIMINARY INJUNCTION**

PIETRO J. SIGNORACCI declares, under penalty of perjury, pursuant to
28 U.S.C. § 1746, as follows:

1. I am admitted to practice before this Court and am associated with
the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, attorneys for Plaintiff
International Business Machines Corporation (“IBM”) in this action. As such, I am
personally familiar with the facts set forth herein. I respectfully submit this declaration in
support of IBM’s motion for a preliminary injunction and a temporary restraining order.

2. Attached as **Exhibit 1** is a true and correct copy of the July 10,
2020 deposition transcript of Juan Zufiria.

3. Attached as **Exhibit 2** is a true and correct copy of the July 8, 2020
deposition transcript of Randy Walker.

4. Attached as **Exhibit 3** is a true and correct copy of the July 7, 2020
deposition transcript of Jean-Philippe Courtois.

5. Attached as **Exhibit 4** is a true and correct copy of the July 9, 2020 deposition transcript of Paul Holloway.

6. Attached as **Exhibit 5** is a true and correct copy of the July 10, 2020 deposition transcript of Rodrigo Kede de Freitas Lima.

7. Attached as **Exhibit 6** is a true and correct copy of an email dated July 9, 2019, produced as IBM-Lima-0055041 - IBM-Lima-0055043.

8. Attached as **Exhibit 7** is a true and correct copy of an email dated July 9, 2019, produced as IBM-Lima-0055102 - IBM-Lima-0055104.

9. Attached as **Exhibit 8** is a true and correct copy of an email dated August 2, 2019, with attachment, produced as IBM-Lima-0058051 - IBM-Lima-0058054.

10. Attached as **Exhibit 9** is a true and correct copy of the July 7, 2020 deposition transcript Diane Gherson.

11. Attached as **Exhibit 10** is a true and correct copy of the July 11, 2020 rough deposition transcript of Juan Zufiria.

12. Attached as **Exhibit 11** is a true and correct copy of a slide deck dated November 2019, produced as IBM-Lima-0095467 - IBM-Lima-0095478.

13. Attached as **Exhibit 12** is a true and correct copy of an email dated January 11, 2020, with attachment, produced as IBM-Lima-0022170 - IBM-Lima-0022180.

14. Attached as **Exhibit 13** is a true and correct copy of an email dated January 16, 2020, produced as IBM-Lima-0022940 - IBM-Lima-0022941.

15. Attached as **Exhibit 14** is a true and correct copy of an email dated April 20, 2020, with attachment, produced as IBM-Lima-0027796 - IBM-Lima-0027799.

16. Attached as **Exhibit 15** is a true and correct copy of an email dated September 18, 2019, with attachment, produced as IBM-Lima-0014042 - IBM-Lima-0014058.

17. Attached as **Exhibit 16** is a true and correct copy of an email dated August 1, 2019, with attachment, produced as IBM-Lima-0057873 - IBM-Lima-0057876.

18. Attached as **Exhibit 17** is a true and correct copy of an email dated September 16, 2019, with attachments, produced as IBM-Lima-0062719 - IBM-Lima-0062745.

19. Attached as **Exhibit 18** is a true and correct copy of a slide deck dated September 23-24, produced as IBM-Lima-0100632 - IBM-Lima-0100698.

20. Attached as **Exhibit 19** is a true and correct copy of an email dated September 25, 2019, produced as IBM-Lima-0063164 - IBM-Lima-0063165.

21. Attached as **Exhibit 20** is a true and correct copy of an email dated February 6, 2019, produced as LIMA_000000204.

22. Attached as **Exhibit 21** is a true and correct copy of an email dated February 27, 2019, produced as LIMA_000000215.

23. Attached as **Exhibit 22** is a true and correct copy of an email dated May 2, 2019, produced as LIMA_000000306 - LIMA_000000307.

24. Attached as **Exhibit 23** is a true and correct copy of an email dated June 2, 2019, produced as LIMA_000000404.

25. Attached as **Exhibit 24** is a true and correct copy of an email dated September 9, 2019, produced as LIMA_000000638.

26. Attached as **Exhibit 25** is a true and correct copy of an email dated March 27, 2020, produced as LIMA_000000647 - LIMA_000000648.

27. Attached as **Exhibit 26** is a true and correct copy of an email dated March 30, 2020, produced as LIMA_000000652 - LIMA_000000653.

28. Attached as **Exhibit 27** is a true and correct copy of an email dated September 9, 2019, produced as MSFT_000000376 - MSFT_000000377.

29. Attached as **Exhibit 28** is a true and correct copy of an email dated April 23, 2020, produced as MSFT_000000017 - MSFT_000000018.

30. Attached as **Exhibit 29** is a true and correct copy of an email dated April 23, 2020, produced as MSFT_000000021 - MSFT_000000022.

31. Attached as **Exhibit 30** is a true and correct copy of a spreadsheet, produced as MSFT_000001163.

32. Attached as **Exhibit 31** is a true and correct copy of Cesar Cernuda's Employment Agreement dated April 20, 2016, produced as MSFT_000000126 - MSFT_000000150.

33. Attached as **Exhibit 32** is a true and correct copy of Rodrigo Lima's formal job offer from Microsoft dated May 29, 2020, produced as MSFT_000000278 - MSFT_000000286.

34. Attached as **Exhibit 33** is a true and correct copy of an iMessage conversation dated March 2, 2020, produced as LIMA_000000952.

35. Attached as **Exhibit 34** is a true and correct copy of an email dated June 2, 2020, produced as MSFT_000000198.

36. Attached as **Exhibit 35** is a true and correct copy of an email dated June 22, 2020, produced as 000000824 - LIMA_000000825.

37. Attached as **Exhibit 36** is a true and correct copy of an email dated June 21, 2020, produced as MSFT_000000782 - MSFT_000000783.

38. Attached as **Exhibit 37** is a true and correct copy of an email dated June 22, 2020, produced as LIMA_000000839 - LIMA_000000840.

39. Attached as **Exhibit 38** is a true and correct copy of an email dated March 30, 2020, produced as MSFT_000001208 - MSFT_000001209.

40. Attached as **Exhibit 39** is a true and correct copy of an email dated June 3, 201, produced as MSFT_000000407.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pietro Signoracci

Pietro J. Signoracci

Executed on July 13, 2020
New York, New York